

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

DENTAL MONITORING,)	
)	
)	C.A. No. 22-647-WCB
Plaintiff,)	Consolidated
)	
v.)	JURY TRIAL DEMANDED
)	
GET-GRIN INC.,)	
)	
Defendant.)	

**DEFENDANT GET-GRIN INC.’S MOTION TO STAY PENDING
PATENT OFFICE PROCEEDINGS**

Defendant Get-Grin Inc. (“Grin”) hereby respectfully moves the Court for an Order to stay this matter pending resolution of the following co-pending post-grant review proceedings for U.S. Patent Nos. 11,599,997 (“the ’997 Patent”), 11,532,079 (“the ’079 Patent”), 11,314,983 (“the ’983 Patent”), and 10,755,409 (“the ’409 Patent”) (collectively, the “Patents-In-Suit”):

- *Align Technology, Inc. v. Dental Monitoring SAS, Inter Partes* Review No. IPR2023-01369 (the ’409 Patent) – institution granted;
- *Ex parte* Reexamination No. 90/019,416 (the ’997 Patent) – reexamination ordered;
- *Ex parte* Reexamination No. 90/019,399 (the ’079 Patent) – reexamination ordered; and
- *Ex parte* Reexamination No. 90/019,435 (the ’983 Patent) – reexamination decision pending.

The grounds for this motion are set forth in Grin’s Opening Brief, filed contemporaneously, herewith.

Pursuant to D. Del. LR 7.1.1, counsel for Defendant, including Delaware counsel, certifies that counsel for the parties, including Delaware Counsel, met and conferred via email on March 8-12 and conducted a videoconference on March 13 to reach an agreement on the subject

matter of this motion. However, the parties were unable to reach agreement and Plaintiff Dental Monitoring indicated it would oppose the motion.

OF COUNSEL:

James C. Yoon
Alexander Miller
Christopher D. Mays
Jeffrey Nall
WILSON SONSINI GOODRICH & ROSATI, P.C.
650 Page Mill Road
Palo Alto, CA 94304-1050
Tel: (650) 493-9300

Talin Gordnia
WILSON SONSINI GOODRICH & ROSATI, P.C.
1900 Avenue of the Stars, 28th Floor
Los Angeles, CA 90067-4301
Tel: (424) 446-6918

Granville C. Kaufman
WILSON SONSINI GOODRICH & ROSATI, P.C.
12235 El Camino Real
San Diego CA 92130
Tel: (323) 210-2951

Dated: March 13, 2024
11376832 / 23369.00001

Respectfully submitted,

POTTER ANDERSON & CORROON LLP

By: /s/ Bindu A. Palapura

David E. Moore (#3983)
Bindu A. Palapura (#5370)
Andrew M. Moshos (#6685)
Hercules Plaza, 6th Floor
1313 N. Market Street
Wilmington, DE 19801
Tel: (302) 984-6000
dmoore@potteranderson.com
bpalapura@potteranderson.com
amoshos@potteranderson.com

Attorneys for Defendant Get-Grin Inc.